

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to: Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450,
Date: April 4, 2007 Name: John F. Nethery, Reg. No. 42,928 Signature:

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Appln. of: Busam et al.

Appln. No.: 09/955,665

Examiner: Nghi V. Tran

Filed: September 19, 2001

Art Unit: 2151

For: DEVICE-TO-DEVICE NETWORK

Attorney Docket No: 11336-1166 (P00108US)

Mail Stop Appeal Brief – Patent
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL

Sir:

Attached is/are:

Transmittal (in duplicate); Amended Summary of Claimed Subject Matter and Response to Notification of Non-Compliant Appeal Brief (37 CFR 41.37) (9 pages).
 Return Receipt Postcard

Fee calculation:

No additional fee is required.
 Small Entity.
 An extension fee in an amount of \$ _____ for a _____-month extension of time under 37 C.F.R. § 1.136(a).
 A petition or processing fee in an amount of \$ _____ under 37 C.F.R. § 1.17(_____.)
 An additional filing fee has been calculated as shown below:

	Claims Remaining After Amendment		Highest No. Previously Paid For	Present Extra	Small Entity		Not a Small Entity		
					Rate	Add'l Fee	or	Rate	Add'l Fee
Total		Minus			x \$25=			x \$50=	
Indep.		Minus			x 100=			x \$200=	
First Presentation of Multiple Dep. Claim					+\$180=			+\$360=	
					Total	\$	Total	\$	

Fee payment:

A check in the amount of \$ _____ is enclosed.
 Please charge Deposit Account No. 23-1925 in the amount of \$ _____. A copy of this Transmittal is enclosed for this purpose.
 Payment by credit card in the amount of \$ _____. (Form PTO-2038 is attached).
 The Director is hereby authorized to charge payment of any additional filing fees required under 37 CFR § 1.16 and any patent application processing fees under 37 CFR § 1.17 associated with this paper (including any extension fee required to ensure that this paper is timely filed), or to credit any overpayment, to Deposit Account No. 23-1925.

Respectfully submitted,

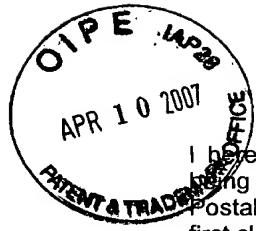
John F. Nethery (Reg. No. 42,928)

April 4, 2007

Date

BRINKS HOFER GILSON & LIONE
NBC Tower – Suite 3600, 455 N. Cityfront Plaza Drive, Chicago, IL 60611-5599

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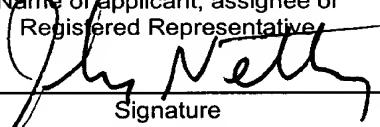
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on April 4, 2007

Date of Deposit

John F. Nethery, Reg. No. 42,928

Name of applicant, assignee or
Registered Representative


Signature
April 4, 2007

Date of Signature

Our Case No. 11336/1166 (P00108US)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Busam et al.

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Serial No. 09/955,665

) Examiner: Nghi V. Tran

Filing Date: September 19, 2001

) Group Art Unit: 2151

For Device-to-Device Network

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**AMENDED SUMMARY OF CLAIMED SUBJECT MATTER AND
RESPONSE TO NOTIFICATION OF NON-COMPLIANT APPEAL BRIEF
(37 CFR 41.37)**

Mail Stop Appeal Brief – Patent
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In reply to the Notification of "Non-Compliant" Appeal Brief (37 CFR 41.37) dated March 9, 2007 ("Notification"), Appellant timely responds with this Amended Summary of Claimed Subject Matter and Response. Appellant respectfully requests the Examiner to withdraw the objections to the Appeal Brief